

REMARKS

Original claims 1-15 remain pending in the present application. Reconsideration of the application in view of the foregoing amendments and following comments is respectfully requested. Acknowledgment of the drawings is again requested.

Claim Rejection - 35 U.S.C. §103

Claims 1-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yamamoto (6,373,599) in view of Okisu (5,194,729). This rejection is traversed for at least the following reasons.

First, Applicant notes that obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, *absent some teaching, suggestion or incentive supporting the combination*. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984)

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). “All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). (MPEP §2143.03 All Claim Limitations Must Be Taught or Suggested)

As disclosed in the “BACKGROUND OF THE INVENTION” of the present invention, “a problem occurs when the projector is being operated because a proper projecting location whereon a user may precisely place documents or objects is not shown. The user must correct the location of documents or objects repeatedly with reference to actual images displayed until a proper projecting location has been found. In unfavorable situations, adjusting the position of the document or the object backward and forward within the limits of the fixed table of the projector takes a lot of time.More particularly, if the projector comprises “zoom in” and “zoom out” functions, the image capture area changes correspondingly. In such a case, the

problem of finding a proper image capture area effectively and quickly worsens.” for the person operating the projector, the adjustment problem is largely due to the projector collects the reflected light from the documents or objects, the operator can’t not know the reflected light collected by the projector is from which portion of the documents or objects. Therefore, the operator must correct the location of documents or objects repeatedly with reference to actual images displayed until a proper projecting location has been found.

The present invention provides a boundary indicator means to project light on the documents or objects. All things inside the area defined by the light are projected on the screen by the projector. The support arm of the present invention can be moved in all directions to adjust the distance between the documents or the objects and the cone in cooperation with enlarging or shrinking images of the documents or the objects. The image capture area, which the indicator indicates, also becomes larger or smaller in proportion to the ratio of image enlarging or shrinking according to the “zoom in ” or “zoom out” function of the image capture device. Therefore, the image capture area can be indicated flexibly to help the user place the documents or the objects precisely and quickly without any guessing about the proper position for projection. Claims 1 and 9, which are the only independent claims in the application, define the foregoing features of the invention.

Yamamoto

With particular reference to Yamamoto, the purpose of the prior art is related to “**Image scanning apparatus** and method” for scanning an image on a reading medium such as a sheet of paper. The present invention relates to an image capture device, and specifically relates to an image capture device with a boundary indicator. **Yamamoto fails to teach the same boundary indicator as the present invention.** Yamamoto discloses a support arm 4 but the support arm 4 only can be rotated in a horizontal direction (col. 7, line 66~col. 8, line 8).

Okisu

Okisu discloses a reading apparatus, which comprises a reading means for reading an original placed at a predetermined distance therefrom. Okisu also discloses the reading apparatus comprising a light emitting means for emitting light for designating an area on said

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original but Okisu fails to disclose that the document reading section 2 can move up and down and the light emitting means can flexibly indicate in cooperation with enlarging or shrinking image capture area.

Neither Yamamoto nor Okisu teaches the desirability, and thus the obviousness, of making the combination. Even if Yamamoto and Okisu were to be combined in the manner proposed, the proposed combination would not show all of the novel physical features of claims 1 and 9 as discussed above. The novel features of claims 1 and 9 produce new and unexpected results and hence are unobvious and patentable over these references.

Accordingly, Applicant respectfully submits that independent claims 1 and 9, as amended, are allowable over the art of record and respectfully requests the 35 U.S.C. §103(a) rejection of claims 1 and 9 to be reconsidered and withdrawn. In addition, insofar as claims 2-8 and 10-15 depend from independent claims 1 and 9 respectively, and add further limitations thereto, the 35 U.S.C. §103(a) rejection of these claims should be withdrawn as well.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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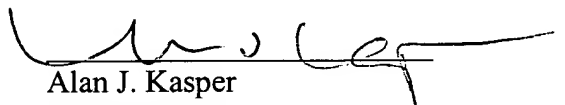
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Date: December 8, 2005